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## Central Valley Regional Water Quality Control Board

1 May 2025

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### **NOTICE OF APPLICABILITY; GENERAL SECTION 401 WATER QUALITY CERTIFICATION ORDER REQUIREMENTS FOR THE SUNSET WEIR GEOTECHNICAL INVESTIGATIONS PROJECT (WDID#5A51CR00152), SUTTER COUNTY**

On 18 March 2025, Sutter Extension Water District (Applicant) filed a notification requesting coverage under the 25 February 2022 State Water Resources Control Board Clean Water Act Section 401 General Water Quality Certification and Order of the United States Army Corps of Engineers 2021 Nationwide Permits (General Certification Order) for the Sunset Weir Geotechnical Investigations Project (Project). After review of the notification and the supplemental material submitted by the Applicant, the Central Valley Regional Water Quality Control Board (Central Valley Water Board) has determined that the Project qualifies for enrollment under this General Certification Order. The proposed activity will take place within less than 0.004 acre/20 linear feet of waters of the United States.

The Central Valley Water Board is certifying this Project under United States Army Corps of Engineers Nationwide Permit #6 (Survey Activities), subject to the conditions and the notification requirements described in the Nationwide Permit ("Special Conditions"). This Notice of Applicability is being issued under the General Certification Order pursuant to Section 3838 of the California Code of Regulations.

A copy of the [General Certification Order](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf) ([https://www.waterboards.ca.gov/water\\_issues/programs/cwa401/docs/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf](https://www.waterboards.ca.gov/water_issues/programs/cwa401/docs/2021/certification-denial-corps-nationwide-permit-project-general-order-10122021.pdf)) can be found on the State Water Resources Control Board's General Order webpage and is enclosed.

The Project must proceed in accordance with the requirements contained in this Notice of Applicability and General Certification Order. The Project is described in the notification form requesting coverage under the General Certification Order, dated 18 March 2025, and supplementary information (Application Package). Coverage under the General Certification Order is no longer valid if the Project (as described) is modified.

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NICHOLAS AVDIS, CHAIR | PATRICK PULUPA, EXECUTIVE OFFICER

**PROJECT DESCRIPTION:**

The 34.04-acre Sunset Weir Geotechnical Investigation Project (Project) consists of geotechnical investigations conducted in support of the Sunset Weir and Pumps Fish Passage Project. Removal of Sunset Weir is expected to have impacts on the hydraulic conditions upstream and downstream of the weir. As a result, the Sunset Weir and Pumps Fish Passage Project also will involve the design of a new pump station and new intake structures. This overwater drilling program will collect information needed to provide geotechnical data to support design recommendations for the new intake structures.

The work would consist of two mud-rotary borings that will be used to collect geotechnical samples of the riverbank and foundation materials. As identified in ASTM D1586, research has shown open hole mud rotary drilling to be the most reliable method for obtaining high quality samples and geotechnical data for most materials below the water table. To protect the side walls of the boring from potential erosion or caving, casing advancers will be used to install casing as the boring is advanced. The use of mud rotary is also proposed to facilitate collection of high-quality Standard Penetration Test (SPT) blow counts.

SPT sampling will occur in the mud-rotary boreholes as the boreholes are advanced. The sampling will be performed in accordance with ASTM D1586 "Standard Test Method of Standard Penetration Test and Split-Barrel Sampling of Soils." The SPT samples will be driven with an automatic hammer that will be monitored for energy efficiency. The SPT sampling will consist of dropping a 140-pound hammer to drive a split-spoon sampler a distance of 18 inches.

The Project will permanently impact 0.00005 acre/2 linear feet and temporarily impact 0.04 acre/20 linear feet of waters of the United States.

**PROJECT LOCATION:**

Section 00, Township 16 North, Range 3 East, MDB&M

Latitude: 39°14'51.57" and Longitude: -121°38'11.46"

**PROJECT SCHEDULE:**

Seven work days in the window of 15 July 2025 through 30 September 2025

**APPLICATION FEE RECEIVED:**

An application fee of \$4,212.00 was received on 19 March 2025.

The fee amount was determined as required by California Code of Regulations, title 23, sections 3833(b)(3) and 2200(a)(3), and was calculated as category E - Low Impact Discharges (fee code 87) with the dredge and fill fee calculator.

If you have any questions regarding this Notice of Applicability, please contact Peter Minkel by phone at (916) 464-4684 or by email at [Peter.Minkel2@waterboards.ca.gov](mailto:Peter.Minkel2@waterboards.ca.gov).

*Original Signed by Anne Walters for:*  
Patrick Pulupa  
Executive Officer

Enclosure: State Water Board Certification of the 2021 Nationwide Permits General  
Water Quality Certification and Order

Attachment: Figure 1 Regional Location Map

cc: [Via email only]

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SOURCE: Esri, 2025; ESA, 2025

Sunset Weir and Pumps Fish Passage Project

**Figure 1-2**  
Project Vicinity



Figure 1 Project Vicinity Map